



## MEMORANDUM

**TO:** Superintendents

**FROM:** Gary Green, Director of Student Services

**DATE:** May 14, 2009

**SUBJECT:** IMPORTANT NOTICE REGARDING SCHOOL NURSE ENTRY OF STUDENT DATA INTO THE CHILDREN AND HOOSIERS IMMUNIZATION REGISTRY PROGRAM (CHIRP)

No later than 60 days after the enrollment of students for the first time, and when additional immunizations are required, each school is required to file a written report with the Indiana State Department of Health (ISDH) and the local health department. This report must include **aggregate** data concerning the immunization status of students. I.C. 20-34-4-6. There is no statutory requirement that individually identifiable information concerning immunizations be provided to the ISDH.

The Children and Hoosiers Immunization Registry Program is the online system maintained by the ISDH that stores and updates immunization records of both children and adults in Indiana. This registry provides an excellent method of tracking student immunization history, and enables school nurses and others to easily check on the immunization status of students. The registry is currently available to the ISDH, the immunization data registry of another state, a healthcare provider, a local health department, an elementary or secondary school that is attended by the individual, a child care center, and the office of Medicaid policy and planning or a contractor of the office of Medicaid policy and planning. I.C. 16-38-5-3. Engrossed Senate Bill 219 would add a provider's designee, a child placing agency, and a college or university that is attended by the individual to the list of persons to whom the immunization information may be released.

When a parent provides a school with student information, including immunization and other health records, that information becomes a student education record subject to the protections of the Family Educational Rights and Privacy Act (FERPA). **Entering this data without parental consent is a violation of FERPA. The written parental consent required under FERPA must (1) specify the records that may be disclosed; (2) state the purpose of the disclosure; and (3) identify the party or class of parties to whom the disclosure may be made.** 20 U.S.C. § 1232g(b)(2)(A); 34 C.F.R. § 99.30(b).

A sample consent form for schools to use to ensure compliance with FERPA and to continue this important data collection is included with this notice.

Should you have any questions or need additional information, please contact Phyllis Lewis MSN at 317-232-9142.